

REMARKS

Claims 1-8 remain in this application. Of these, claims 2-7 are allowed and claim 1 rejected as anticipated by Kidokor. An amendment to claim 1 is proposed to add language found in allowed claim 2. Since these limitation have been considered previously, Applicant's submit that entry at this time to place this application in condition for allowance or better form for appeal is proper.

As amended, claim 1 will have essentially to same first three elements, with identical functional limitations. Only in the last element do they differ. In claim 1 the last means, relying on the previous means perform a judgment of no open failure and in claim 2 the last means judge an open failure. In allowing claim 2, the Examiner pointed to reliance on the means language. This same means language, other than the last element is now present in claim 1. Specifically, both claims include:

a differential pressure generation condition judgment means for judging whether a differential pressure generation condition is established, said condition being established when the sealing valve is expected to be closed and differential pressure is expected to be generated between both sides of the sealing valve

and

... means for detecting the difference between a canister side pressure which exists in a canister side area of the sealing valve and a tank internal pressure when said differential pressure generation condition is established

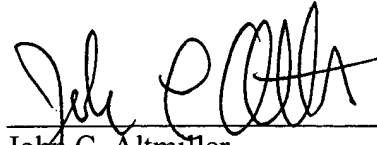
It is clear that, when properly interpreted, as the Examiner has done with claim 2, that these limitations are not found in the prior art. Thus, as amended, claim 1 distinguishes over the cited reference. Thus, entry of this Amendment and allowance of this application is respectfully requested.

The Examiner is requested, after reviewing this response to contact the undersigned to discuss any remaining issues in this application.

The Office is authorized to charge any additional fees or credit any overpayment under 37 C.F.R. § 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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John C. Altmiller
Registration No. 25,951

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005-1257
Telephone (202) 220-4200
Facsimile (202) 220-4201